

STATEMENT OF PURPOSE

RS20150

In Attorney General Opinions 84-7 and 85-10, reaffirmed in an informal opinion in 1986, the office of the Attorney General directly stated that Idaho Code, Section 32-1008A was not a law of general applicability and violated the intent of Congress in establishing Medicaid and could subject Idaho to federal sanctions if implemented. Additionally, Footnote 2 on Page 5 of Opinion 84-7 stated that Idaho Code, Section 32-1002 was likewise in violation. The primary reason was that the laws were not laws of general applicability, but instead special laws directed at county indigency programs (32-1002) and Medicaid recipients (32-1008A). These statutes have not been enforced since such opinions were rendered.

Therefore, this bill repeals those sections, removing the possibility that the laws could be used against citizens of the State of Idaho who are not aware of the said opinions, or in ignorance by county indigency programs or Medicaid.

FISCAL NOTE

This bill will have no negative fiscal impact.

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